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EXAMINER	
AUGUSTINE, NICHOLAS	
ART UNIT	**PAPER NUMBER**
2179	

NOTIFICATION DATE	DELIVERY MODE
07/16/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

Office Action Summary	Application No.	Applicant(s)	
	10/689,687	ORDING ET AL.	
	Examiner	Art Unit	
	NICHOLAS AUGUSTINE	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 May 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *57-60 and 76-87* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *57-60 and 76-87* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/12/2009; 5/13/2009*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

A. This action is in response to the following communications: Request for Continued Examination filed 05/13/2009.

B. Claims 57-60 and 76-87 remains pending.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/13/2009 has been entered.

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2. All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 57-60 and 76-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeStefano (US 6,075,531), herein referred to as "DeStefano", in view of Bronson (US Patent 5,305,435), herein referred to as "Bronson".

As claim 57, DeStefano teaches a method for facilitating interactivity between objects appearing on a desktop and in windows of a computer user interface, comprising the steps of: displaying one or more windows in a normal view such that the windows can obscure a user's view of objects on the desktop, of the user interface (col.17, lines 38-

52). DeStefano does not clearly teach temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response to a second command from the user, while maintaining the selection of said desktop object-and placing the selected object in one of said windows. However, Bronson teaches temporarily removing the windows from their obscuring positions in response to a first user command (col. 7, lines 17-19);
selecting at least one of said desktop objects while the windows are removed (col. 9, lines 10 -20) returning the windows to their original positions in response to a second command from the user (col. 7, lines 56-66), while maintaining the selection of said desktop object-and placing the selected object in one of said windows (col. 7, lines 56-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response to a second command from the user, while maintaining the selection of said desktop object-and placing the selected object in one of said windows as taught by Bronson in order to leave the central screen area clear of non-active windows by removing the windows in an obscuring position and moving them to a virtual or non-visible area leaving the central screen area for displaying windows with an active display status, so the user able to select a window, maintain control by dragging the window onto the display and placing the window on the desktop, giving the extra

benefit of controlling the windows working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As claim 58, DeStefano does not clearly teach temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area. However, Bronson teaches temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area (fig. 7, label 38), and moving the windows to positions within said border area (col. 3, lines 43-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area as taught by Bronson in order to leave the central screen area clear of non-active windows and to reserve the central screen area for displaying windows with an active display status and place the non-active windows in the border area, so to provide the user with a working environment to enhance productivity by alleviating the confusion in working with multiple

windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As claim 59, DeStefano does not clearly teach returning the windows are initiated by dragging the selected desktop object to said border area.

However, Bronson teaches returning the windows are initiated by dragging the selected desktop object to said border area (col. 3, lines 43-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by returning the windows is initiated by dragging the selected desktop object to said border area as taught by Bronson in order to give the user the ability to selectively clear the central screen area of non-active windows to provide the user with a working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As claim 60, DeStefano clearly teaches a method for facilitating interactivity between objects appearing on a desktop and in windows of a computer user interface, comprising the steps of: displaying one or more windows in a normal view such that the windows can obscure a user's view of objects on the desktop of the user interface (col.17, lines 1-10, 38-67 and col.18,lines 40-45DeStefano does not teach selecting an object in a window; temporarily removing the windows from their obscuring positions in response to a first user command, while maintaining the selection of the object; placing the selected object on the desktop or a desktop object while the windows are removed; and returning the windows to their original positions in response to a second command from the user. However, Bronson teaches selecting an object in a window (col. 9, lines 10 - 20); temporarily removing the windows from their obscuring positions in response to first user command (col. 7, lines 17-19), while maintaining the selection of the object; placing the selected object on the desktop or a desktop object while the windows are removed (col. 7, lines 56-59); and returning the windows to their original positions in response to a second command from the user (col. 7,lines 56-66). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows from their obscuring positions in response to a first user command, while maintaining the selection of the object; placing the selected object on the desktop or a desktop object while the windows are removed; and returning the windows to their original positions in response to a second command from the user as taught by Bronson in order to leave the central screen area clear of non-active windows and to reserve the central screen area for

displaying windows with an active display status, so the user is able to select a window, maintain control by dragging the selected window to the screen edge and placing the window in a virtual or non-visible screen area, giving the extra benefit of controlling the windows working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22 and col. 8, lines 39-44). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As for claim 76, DeStefano teaches the method of claim 60, wherein said second command comprises releasing the selected object onto the desktop or desktop object (col. 17, lines 18-24 and 45-52).

As for claim 77, DeStefano teaches the method of claim 60, wherein at least one of said first and second commands comprises moving a cursor to a predetermined area on the desktop (col.17, lines 25-52).

As for claim 78, DeStefano teaches the method of claim 77, wherein said predetermined area comprises a designated corner of the desktop (col.17, lines 25-52; user is able to move the course anywhere on the desktop).

As for claim 79, DeStefano teaches the method of claim 77, wherein said first user command is invoked by dragging the selected object to the predetermined area with the cursor (col.17, lines 25-52).

As for claim 80, DeStefano teaches the method of claim 57, wherein at least one of said first and second commands comprises moving a cursor to a predetermined area on the desktop (col.7, lines 6-15 and col.17, lines 25-52).

As for claim 81, DeStefano teaches the method of claim 80, wherein said predetermined area comprises a designated corner of the desktop (col.17, lines 25-52; wherein the user is able to move the course anywhere on the desktop).

As for claim 82, DeStefano teaches the method of claim 80, wherein said second command is invoked by dragging the selected object to the predetermined area with the cursor (col.7, lines 6-15 col.17, lines 25-52).

As for claim 83, DeStefano teaches a method for facilitating interactivity between objects appearing on a desktop and in windows of a computer user interface, comprising the steps of: displaying one or more windows in a first view such that the windows can obscure a user's view of objects on the desktop of the user interface (col.6, lines 55-64; figure 10); temporarily removing the windows from their obscuring

positions in a second view, in response to a first user command (col.7, lines 6-15); returning the windows to their original positions of said first view, in response to a second command from the user (col.7, lines 6-15; col.17,lines 25-52);

DeStefano does not clearly teach temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response to a second command from the user, while maintaining the selection of said desktop object-and placing the selected object in one of said windows.

However, Bronson teaches temporarily removing the windows from their obscuring positions in response to a first user command (col. 7, lines 17-19);

selecting at least one of said desktop objects while the windows are removed (col. 9, lines 10 -20) returning the windows to their original positions in response to a second command from the user (col. 7, lines 56-66), while maintaining the selection of said desktop object-and placing the selected object in one of said windows (col. 7, lines 56-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response to a second command from the user, while maintaining the selection of said desktop object-and placing the selected object in one of said windows as taught by Bronson in order to leave the central screen area clear of non-active windows by removing the windows in an obscuring position and moving them to a

virtual or non-visible area leaving the central screen area for displaying windows with an active display status, so the user able to select a window, maintain control by dragging the window onto the display and placing the window on the desktop, giving the extra benefit of controlling the windows working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As for claim 84, DeStefano teaches the method of claim 83 wherein the step of temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop, and moving the windows to positions within said border area. DeStefano does not clearly teach temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area. However, Bronson teaches temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area (fig. 7, label 38), and moving the windows to positions within said border area (col. 3, lines 43-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the

windows to positions within said border area as taught by Bronson in order to leave the central screen area clear of non-active windows and to reserve the central screen area for displaying windows with an active display status and place the non-active windows in the border area, so to provide the user with a working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As for claim 85, DeStefano in view of Bronson teaches the method of claim 84 wherein the step of returning the windows is initiated by dragging the selected desktop object to said border area (wherein the user is able to move the course anywhere on the desktop; col.17, lines 25-52). DeStefano does not clearly teach temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area. However, Bronson teaches temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area (fig. 7, label 38), and moving the windows to positions within said border area (col. 3, lines 43-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows

comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area as taught by Bronson in order to leave the central screen area clear of non-active windows and to reserve the central screen area for displaying windows with an active display status and place the non-active windows in the border area, so to provide the user with a working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22). This is true because Bronson and DeStefano solve similar problems relating to Desktop Management wherein Bronson suggest a method of easier management of multiple windows in a graphic user interface for the user to interact with.

As for claim 86, DeStefano teaches the method of claim 83, wherein at least one of said first and second commands comprises moving a cursor to a predetermined area on the desktop (col.17, lines 25-52).

As for claim 87, DeStefano teaches the method of claim 86, wherein said predetermined area comprises a designated corner of the desktop (col.17, lines 25-52; wherein the user's interactive component can happen anywhere on the desktop).

(Note :) **It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).**

Response to Arguments

Applicant's arguments filed 05/13/2009 have been fully considered but they are not persuasive.

After careful review of the current claims (given the broadest reasonable interpretation) and the remarks provided by the Applicant along with the cited reference(s) the Examiner does not agree with the Applicant for at least the reasons provided below:

A1. In summary the Applicant argues that DeStefano in view of Bronson does not teach the user being able select an object from a window (i.e. icon); having the windows removed from view so that the user can place the object on the desktop (according to claim 60); Further stating that for claim 57, that DeStefano in view of Bronson does not teach the user being able to remove windows from view, select an object, have the windows come back in view to place object in window. More specifically Applicant argues previous argument that DeStefano in view of Bronson does not teach"

temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response To a second command from the user while maintaining the selection of said desktop object-and placing the selected object in one of said windows".

R1. Examiner does not agree, Bronson teaches a system which a user is interacting with a graphical user interface (pc desktop having a plurality of windows)

which contains windows that the user is able to remove from view using multiple methods to do so as depicted in figures 3-5. As described by Bronson these windows can have objects (icons) associated and viewed within for interaction as normally found in the normal interaction of a desktop interface. Importantly enough though Bronson describes in column 8, lines 12-48 and depicts in figures 7-10 the user being able to select a graphical object (114) viewed in a window that was removed from view at users interaction so that the user can place the object onto to desktop (20) and then the inverse of that where the user has windows removed from view then selects and object (114) from desktop (20) to place into a window (112'). Throughout the disclosure of Bronson it is shown of this interaction where there are a plurality of windows (24', 30', 32', 22') having objects viewable within (61', 63', 71', 72') that are manageable during windows being viewable (not hidden; figure 1) and not viewable (hidden; figure 4).

Further better explaining Bronson, it is shown of a system that can temporarily remove window(s) from their current location (obscuring location) in response to a fist user command in column 6, lines 4-36; Bronson explains moving window 22' out of sight toward the left side (border) of display screen and leaving behind icons (38, 81-85; which are actual selectable graphical user indicators) representing the window 22' contents. Any window presented on the desktop can take similar action as window 22' as explained throughout Bronson. Next Bronson shows a selection of at least one of said desktop objects (graphical element presented on desktop, part of the graphical user interface) while windows such as 22 are removed (indicated with a tab (icons)). The user selects 84 either by dragging or using a "fast restore" command (col.7,lines

56-66; user has removed windows from view and has selected an icon/ graphical user selectable object to be placed onto desktop (20)). Thus Bronson shows in response to selection returning the windows to their original positions in response to a second command from the user and further Bronson shows while maintaining the selection of said desktop object 84 and placing the selected object in one of said windows (figures 1-6; col.7,lines 23-55). Therefore as can be visually depicted in the transition of figures 1-6 and cited in the disclosure that Bronson teaches temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response to a second command from the user while maintaining the selection of said desktop object-and placing the selected object in one of said windows; and that the user can do this procedure in reverse order as well. Simply stating the user is able to take a tab such as 84 and drag or use “fast restore” command (two different actions) and place it into the main window (root window formally called "desktop” (20)) and the end result featuring the transition of a window being removed from the root window “desktop” along with its contents and then the user being able to selection a portion of existing window or the entire window and place a object into the root window “desktop”.

Possible Allowable subject matter

Note: It would appear that DeStefano in view of Bronson is silent on showing automated animated transitional effects of where (windows) objects are going and

coming from when user is interacting with graphical user interface. The only animation would be one created by the user by performing a drag and drop maneuver and not one that is caused by a "hide all windows key sequence" action by the user to initiate an automated animated transitional effect where windows are show to move to the outside border of the display device.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056 and fax is 571-270-2056. The examiner can normally be reached on Monday - Friday: 9:30am- 5:00pm Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven B Theriault/
Primary Examiner, Art Unit 2179

/Nicholas Augustine/
Examiner
Art Unit 2179
July 7, 2009